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WOLF GREENFIELD & SACKS PC FEDERAL RESERVE PLAZA 600 ATLANTIC AVENUE BOSTON MA 02210-2206 NOV 0.2 2006

OFFICE OF PETITIONS

In re Application of :

Edward P. Ingenito :

Application No. 10/649,232 : ON PETITION

Filed: August 26, 2003

Attorney Docket No. 10991-002004

This is in response to the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed September 6, 2006.

The application was held abandoned for failure to file a reply to the non-final Office action mailed January 25, 2006. A Notice of Abandonment was mailed on August 4, 2006.

A review of the file reveals that applicant did file a reply on July 31, 2006, made timely by obtaining a three month extension of time and including a Certificate of Mailing dated July 25, 2006. In view thereof, it is obvious that the Notice of Abandonment was mailed in error.

Accordingly, the petition under 37 CFR 1.181 is GRANTED.

The holding of abandonment is WITHDRAWN.

The Notice of Abandonment is **VACATED**.

The matter is being forwarded to Group Art Unit 3763 for consideration of the Amendment filed July 31, 2006 (made timely by obtaining a three month extension of time and including a Certificate of Mailing dated July 25, 2006).

Telephone inquiries concerning this decision may be directed to the undersigned at 571-272-3207.

Cliff Congo

Cliff by

Petitions Attorney Office of Petitions